

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**GENWORTH LIFE AND ANNUITY
INSURANCE COMPANY (f/k/a FIRST
COLONY LIFE INSURANCE COMPANY),**

Plaintiff,

vs.

**DOROTHY CIURA and
LISA VANDENBERGHE (n/k/a LISA ORTEGA),**

Defendants.

No. 07 C 6400

NOTICE OF MOTION

PLEASE TAKE NOTICE that on the **10th** day of **January, 2008**, at **9:00 a.m.**, or as soon after as this motion may be heard, we will appear before the Honorable Judge Der-Yeghiayan or any judge sitting in his/her place or stead, in the courtroom usually occupied by him/her in **Room 1903** in the United States District Court for the Northern District of Illinois, Eastern Division, and then and there present Genworth Life and Annuity Insurance Company's Motion to Vacate the Court's December 11, 2007 Minute Entry and Reinstatement of the Action, a true and correct copy of which is attached hereto and hereby served upon you.

Dated at Chicago, Illinois this **3rd** day of **January, 2008**

Respectfully submitted,

GENWORTH LIFE AND ANNUITY
INSURANCE COMPANY

By: /s/ Stuart F. Primack

One of its Attorneys

William A. Chittenden, III
Stuart F. Primack
CHITTENDEN, MURDAY & NOVOTNY LLC
303 West Madison Street, Suite 1400
Chicago, Illinois 60606
(312) 281-3600

Certificate of Service

I hereby certify that on **January 3, 2008**, I caused to be filed with the Clerk of the U.S. District Court, Northern District of Illinois, Eastern Division, Genworth Life and Annuity Insurance Company's Motion to Vacate the Court's December 11, 2007 Minute Entry and Reinstatement of the Action via electronic filing.

/s/ Stuart F. Primack

Stuart F. Primack

CHITTENDEN, MURDAY & NOVOTNY LLC

303 West Madison Street, Suite 1400

Chicago, Illinois 60606

(312) 281-3600

(312) 281-3678 (fax)

sprimack@cmn-law.com